

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:09-CR-218-BO
No. 5:15-CV-633-BO

ERIC DEVON BARNES,)
)
Petitioner,)
)
v.) ORDER
)
UNITED STATES OF AMERICA,)
)
Respondent.)

This cause comes before the Court following petitioner's withdrawal of his motion pursuant to 28 U.S.C. § 2255. [DE 65]. In light of the foregoing, the government's motion to dismiss [DE 43] is DENIED AS MOOT. The clerk is DIRECTED to close civil case No. 5:15-CV-633-BO.

SO ORDERED, this 12 day of October, 2017.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE